

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEMAR PARKER,

Case No. 16-13036

Plaintiff,

v.

Gershwin A. Drain
United States District Judge

CITY OF DETROIT, *et. al.*

Stephanie Dawkins Davis
United States Magistrate Judge

Defendants.

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**ORDER GRANTING IN PART PLAINTIFF'S MOTION
TO COMPEL DISCOVERY RESPONSES [DKT. 41]**

The Court, having reviewed the filings of the parties, conducted a hearing on this date, being otherwise advised in the premises thereof and for reasons stated on the record, finds that the discovery requests at issue are both relevant and proportional to the needs of this case pursuant to Fed. R. Civ. P. 26(b)(1), except that where noted below, plaintiff's requests are limited as described. Therefore, plaintiff's motion is **GRANTED IN PART**, and defendants must supplement their responses to Plaintiff's First set of Interrogatories and Requests for the Production of Documents within 21 days of entry of this order as follows:

As to Interrogatory Nos. 1, 7, 8, 10 and 11; and Request for Production Nos. 1, 5, 6, 7, 11, 14, 15-18, 22, 24-25 and 27, defendants must provide complete substantive responses. To the extent that any defendant responds that all

responsive documents have already been produced, or such documents do not exist, defense counsel must consult with his client(s) and certify, pursuant to Fed. R. Civ. P. 26(g) that he has made reasonable inquiry of the party(ies) and to the best of his knowledge, information and belief, the client has provided all information and documents responsive to the discovery requests, subject to the requirements of existing rules and law. Furthermore, each responding party must disclose whether a given response is limited or qualified in any way, and must state the reasoning for any such limitation or qualification in the supplemental response(s).

Regarding Interrogatory No. 8, the scope of defendants' supplementation is limited to providing information on the identity of persons at DPD during the 18-month time period spanning 6 months before through one year after the subject incident, who were responsible for collecting, maintaining and overseeing the handling of complaints against DPD and its officers assigned to the defendant officers' precinct(s) for conduct such as is alleged in plaintiff's complaint.

Responses to any of the discovery requests that require the disclosure of personal identity information, such as addresses, phone numbers, date of birth or other information covered by Fed. R. Civ. P. 5.2 of non-party, civilian individuals are required to be provided subject to the terms of a protective order mutually agreed upon by the parties, or otherwise entered by the court. As to responses

requiring disclosure of contact information for non-party DPD personnel, accepting defense counsel's representations regarding the same at the hearing on this matter, such requests can be satisfied by the provision of contact information within DPD.

IT IS SO ORDERED

The parties to this action may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(b)(2) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed.R.Civ.P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge's ruling on a non-dispositive motion, the ruling remains in full force and effect unless and until it is stayed by the magistrate judge or a district judge. E.D. Mich. Local Rule 72.2.

Date: October 6, 2017

s/Stephanie Dawkins Davis
Stephanie Dawkins Davis
United States Magistrate Judge

CERTIFICATE OF SERVICE

I certify that on October 6, 2017, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send electronic notification to all counsel of record.

s/Tammy Hallwood
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